



**Lessons Learned:  
A Primer for Developing  
Military Service Credit  
for Occupational Licensing**

revised August 15, 2014



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## A. Overview of TDLR Implementation of Military-Related Laws

These are the lessons learned by the Texas Department of Licensing and Regulation (TDLR) while implementing the four bills related to TDLR and occupational licensing of military service members, veterans, and spouses passed by the 83<sup>rd</sup> Texas Legislature in 2013.

Also included are the steps we took to implement House Bill 2029, House Bill 2254, Senate Bill 162, and Senate Bill 242. The steps are not numbered because many of them overlapped, taking advantage of the most efficient use of time and resources:

- Identify military-related laws affecting TDLR;
- Identify TDLR licenses for which military experience, service, training, and education is applicable;
- Identify issues and develop procedures regarding expedited military spouse licensing;
- Develop and adopt administrative rules to implement military-related laws;
- Update TDLR procedures and forms to implement military-related laws and rules; and
- Inform the public about TDLR military licensing opportunities and processes.

If you have any questions or need additional information regarding this document, please contact Randy Nesbitt by phone at (512) 463-7135 or by email at [randy.nesbitt@tdlr.texas.gov](mailto:randy.nesbitt@tdlr.texas.gov).

## B. Identify Military-Related Laws Affecting TDLR

Below are brief overviews of each of the military-related bills the agency identified as affecting TDLR's occupational licensing:

### **83<sup>rd</sup> Legislature, Regular Session (2013)**

[House Bill 2029](#) – This bill amends Texas Occupations Code, Chapter 1305, (Electricians Occupation Code), to allow military service members and veterans to receive credit for verified military service, training or education toward fulfilling the licensing requirements, other than examination requirements, for a license issued by TDLR. It gives specific direction to TDLR to expedite the issuance of a temporary license or license by endorsement or reciprocity under Chapter 1305. The bill was effective June 14, 2013, and applies to license applications filed on or after May 1, 2014. (Texas Occupations Code §1305.1645)

[House Bill 2254](#) – This bill amends Texas Occupations Code, Chapter 55, related to military members, veterans and spouses, to allow military service members and veterans to receive credit for verified military service, training or education toward fulfilling any apprenticeship requirements, other than examination requirements, for a license issued by a state agency. The bill was effective June 14, 2013, and applies to license applications filed on or after May 1, 2014. (Texas Occupations Code §55.005)

[Senate Bill 162](#) – This bill amends Texas Occupations Code, Chapter 55, related to military members, veterans and spouses, to allow military service members and veterans to receive credit for verified military service, training or education toward fulfilling the licensing requirements, other than examination requirements, for a license issued by a state agency. This bill also provides expedited licensing for a military spouse who holds a current license in another jurisdiction with licensing requirements substantially equivalent to the licensing requirements in Texas. This bill was effective May 18, 2013, and applies to license applications filed on or after March 1, 2014. (Texas Occupations Code §§55.005, 55.006, 55.007)

[Senate Bill 242](#) -- This bill amends Texas Occupations Code, Chapter 51, TDLR's enabling statute and requires TDLR to credit verified military service, training or education toward fulfilling the licensing requirements, other than examination requirements, for a license issued by the TDLR. The bill was effective June 14, 2013, and applies to license applications filed on or after May 1, 2014. (Texas Occupations Code §51.4013)

## C. Identify TDLR Licenses for which Military Experience, Service, Training, and Education is Applicable

TDLR used the following online resources to discover the Military Occupational Specialty (MOS)<sup>1</sup> designations which correspond to its licensing programs:

1. **Career One Stop** – The information for this site comes from the Defense Manpower Data Center, U.S. Department of Defense – after entering the name of a civilian occupation in the search box and clicking the search button, a list of corresponding military occupations and military codes for all branches will appear:  
<http://www.careeronestop.org/businesscenter/Civilian-to-Military/civilian-to-military-translator.aspx>
2. **O\*NET OnLine** – After selecting the branch in the dropdown and the title of the occupation, a list of current occupations appears and below that will be a list of those no longer in active use:  
<http://www.onetonline.org/crosswalk/MOC/>
3. **ACE Military Guide** – This is the American Council on Education site to evaluate educational experiences of those in the armed services – use the Search Occupations option for this step – enter the Occupation Title in the available box and click search – a list of military occupations will appear and you can select the ones which were determined to be correct from the O\*NET search.

**Note:** In the Description Summary, important elements will be mentioned such as for an electrician’s license, the National Electric Code:

<http://www2.acenet.edu/militaryguide/OccupationSearch.cfm>

4. **ACE Military Guide** – This is the ACE Course Search – after discovering military occupations that fit the requirements of occupational licenses, the occupation title can be entered into the course title box and click the search button to retrieve the ACE ID and also the specific training by selecting the course title which is a link to details (course number, location, length, learning outcomes, instruction, & more) – note that important elements such as the National Electric Code will be highlighted under the Instruction section:

<http://www2.acenet.edu/militaryguide/CourseSearch.cfm>

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<sup>1</sup> **MOS and MOS code** is used throughout this document to include: United States Army Military Occupational Specialty; United States Marines Military Occupational Field (OccFld); Air Force Specialty Code (AFSC); and United States Navy ratings and designators used with the Navy Enlisted Classification (NEC) system. The Coast Guard does not use the MOS concept but divides occupational specialties into groups (such as, Aviation Group, Scientific Group, etc.).

Table 1 below reflects the six TDLR programs which have an MOS code related to specific licenses. Three additional TDLR programs (Boiler, Elevator, and Towing) had a related MOS code but provide differing methods for verifying experience prior to becoming licensed: Towing – no experience is required; Boiler and Elevator – each of these programs require a third party to verify experience and certify the individual prior to applying for a license through TDLR.

**D. Table 1. MOS codes Identified for Regulated Programs**

<b>TDLR LICENSING PROGRAM</b>	<b>ARMY</b>	<b>NAVY</b>	<b>AIR FORCE</b>	<b>MARINE CORPS</b>	<b>COAST GUARD</b>
<b>Air Conditioning and Refrigeration</b>	<b>51L</b> (Heating and Cooling Specialist)	<b>4291</b> (Refrigeration and Air Conditioning Systems) and <b>6104</b> (Shore-Based Refrigeration and Air Conditioning)	<b>3E111, 3E131, 3E151, and 3E171</b> (Heating, Ventilation, Air Conditioning and Refrigeration)	<b>1161</b> (Refrigeration and Air Conditioning Technician)	None
<b>Barbers</b>	None	<b>3122</b> (Barber)	None	None	None
<b>Electricians</b>	<b>12 R</b> (Interior Electrician) Note: 21R & 51R are applicable but no longer in use	<b>CE4626, CE4632, CE4752, and CE4754</b> (Construction Electrician)	<b>3E011, 3E031, 3E051, and 3E071</b>	<b>1141</b>	None
<b>Elimination of Architectural Barriers</b>	<b>12D</b> (Facilities/Contract Construction Management Engineer)	<b>4230</b> (Facilities Construction/Facilities Services Officer)	None	None	None
<b>Polygraph Examiners</b>	<b>311D</b> (Criminal Investigation Division Special Agent) and <b>35L</b> (Counter Intelligence Agent)	MA-2002 (Military Investigator)	<b>7S0X1</b> (Special Investigations)	<b>5822</b> (Forensic Psychologist-Polygraph Examiner)	401
<b>Water Well Drillers and Pump Installers</b>	<b>62J#OC3YY</b> (General Construction Equipment Operation with Well Drilling Additional Skills Identifier C3) and <b>62N#OC3YY</b> (Construction Equipment Supervisor with Well Drilling Additional Skills Identifier C3)	<b>5707</b> (Water Well Drilling Technician)	<b>3E2X1</b> (Pavements and Construction Equipment Operator)	None	None

**NOTE:** This is only a partial list of applicable MOS codes as there may be other military experience, service, training or education that satisfies licensing requirements and new MOS codes may be created in the future. This table was created to assist our Licensing Division process applications in an expedited manner. All MOS codes will be reviewed to determine if they meet license requirements for experience and education.

Table 2 below shows the specific license types from the six TDLR programs that can use military experience, service, training, or education to meet the licensing requirements:

**E. Table 2. Regulated Programs, License Types, and Required Experience and Education**

<b>TDLR LICENSING PROGRAM</b>	<b>TDLR LICENSE TYPE</b>	<b>QUALIFICATIONS for LICENSURE</b>
<b>Air Conditioning and Refrigeration</b>	ACR Contractor	48 months of practical work experience.
	Certified Technician	Pass a qualifying exam to obtain TDLR certification to become a Certified ACR Technician. TDLR accepts Air Force, Army, and Navy certification which is reflected on a veteran's DD214.
<b>Barbers</b>	Barber	Credit is awarded for military barber training.
<b>Electricians</b>	Master Master Sign Journeyman Journeyman Sign Residential Wireman Maintenance Journeyman Lineman	Work under the National Electric Code is credited so that one year of military experience equals 2,000 hours; 6 months equals 1,000 hours, etc.
<b>Elimination of Architectural Barriers</b>	Registered Accessibility Specialist	Three options: 1. Minimum four-year college degree in related field and one year of related work experience, 2. Eight years of related work experience, or 3. International Code Council certification and four years of work experience.
<b>Polygraph Examiners</b>	Polygraph Examiner	After 4/1/2014, because of SB 562, the requirements are: <u>Requirement 1.</u> Either: (A) holds a baccalaureate degree from an accredited college or university; <b>or</b> (B) has active investigative experience during the five years preceding the date of application. AND, must also meet, <u>Requirement 2.</u> Has completed an acceptable polygraph examiner course of study taught by a school recognized by the department and has satisfactorily completed at least six months of a polygraph examiner internship.
<b>Water Well Drillers and Pump Installers</b>	Driller Pump Installer	Work experience is determined by the number and type of water wells drilled or number and types of pumps installed.

## **F. Identify Issues and Develop Procedures Regarding Expedited Military Spouse Licensing**

### **Separate Military Spouse Licensing Laws**

The Texas military spouse licensing laws have different language concerning which military spouses are included in the provisions and how the military spouses may apply for and obtain a Texas license.

#### **Spouses of persons on active duty as members of the armed forces of the United States**

Texas Occupations Code §55.004, which was added by Senate Bill 1733, 82<sup>nd</sup> Legislature, 2011 Regular Session, applies to “an applicant who is the spouse of a person serving on active duty as a member of the armed forces of the United States.” A military spouse under §55.004 may obtain a Texas license issued by the Department in a variety of ways: (1) the applicant holds a current license in another state that has licensing requirements that are substantially equivalent to the Texas licensing requirements; (2) the applicant, within the five years preceding the application date, held the license in Texas and that license expired while the applicant lived in another state for at least six months; (3) the applicant demonstrates competency by alternative methods as specified by rule; and (4) the applicant obtains a license by endorsement in the same manner as prescribed under Texas Occupations Code §51.404.

#### **Spouses of persons on active duty as members of the armed forces of the United States, reserve component of the armed forces, including National Guard, or state military service of any state**

Texas Occupations Code §§55.005 and 55.006, which were added by S.B. 162, 83<sup>rd</sup> Legislature, 2013 Regular Session, apply to a “military spouse” as defined under §55.001. Under new §55.001(1-b), a “military spouse” is a “person who is married to a “military service member” who is currently on active duty. Under new §55.001(1-a), a “military service member” is defined as a “person who is currently serving in the armed forces of the United States, in a reserve component of the armed forces of the United States, including the National Guard, or in the state military service of any state.” A military spouse under §§55.005 and 55.006 may obtain a Texas license issued by the Department, in an expedited manner, if the applicant holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the Texas licensing requirements.

TDLR has adopted two separate rules because the statutory provisions have different scopes as mentioned above.

### **Substantially Equivalent Licenses**

For all military spouse licensing laws referenced above, a state agency must issue a license to a spouse who holds a current license in another state or jurisdiction that has substantially equivalent licensing requirements as those in Texas.

TDLR developed rules to reflect the criteria the Department will follow to determine whether the licensing requirements of another state or jurisdiction are “substantially equivalent” to the Texas licensing requirements.

The criteria include education requirements, examination requirements, experience requirements, training requirements, and license requirements. TDLR is continuously evaluating other states’ licensing requirements to ensure substantially equivalent license types for military spouses are recognized.

### **Expedited Licenses**

Since the enactment of SB 1733 in 2011, TDLR has used a separate, supplemental form to identify and process military spouse applications. Further, the passage of SB 162 in 2013, directed the Department to process all eligible military spouse license applications in an expedited manner. The form created in 2011 is now used to identify and expedite the processing of military spouse applications.

TDLR updated the military spouse supplemental form to enable use by all eligible military spouses, regardless of the method the spouse is using to obtain a license.

## **G. Develop and Adopt Administrative Rules to Implement Military-Related Laws**

TDLR reviewed the four military bills from the 83<sup>rd</sup> Legislature, 2013 Regular Session, along with existing rules, including rules that implemented military-related bills from previous legislative sessions. TDLR developed proposed rules under 16 Texas Administrative Code (TAC) Chapter 60, the Procedural Rules of the Commission and the Department. TDLR proposed the rules under Chapter 60, which apply to all TDLR licensing programs, so that the military-related rules would apply uniformly to all TDLR licensing programs to the extent possible.

In developing the proposed rules, TDLR was faced with the task of implementing several bills that had similar language but amended different statutory chapters. We also had to reconcile the new statutory provisions with existing provisions that were different in scope and applicability. The proposed rules address the following issues and concepts:

- defining certain military terms that are used, but not defined, in statute, and developing procedures, rather than rules, for identifying “active duty” military personnel;
- explaining the criteria for determining what is a “substantially equivalent” license from another state or jurisdiction;
- determining the amount of military experience, service, training or education that will be credited toward meeting the licensing requirements, while recognizing any existing licensing program statutes and rules that already make this determination for a particular license;
- relocating and establishing rules regarding late renewal fees and extended deadlines for meeting continuing education requirements, while recognizing the differences in scope and applicability of the existing statutory provisions related to military members (i.e. armed forces of the United States; reserve component of the armed forces of the United States, including National Guard; or state military service of any state);
- establishing the procedures for a military service member or veteran to submit an application for a license or apprenticeship and to obtain credit for verified military experience, service, training or education; and
- updating the procedures for a military spouse to obtain a Texas license, while recognizing the differences in scope and applicability of the existing and new statutory provisions related to military spouses.

The preamble of the proposed rules explains in more detail the specific changes that were made and the reasons for the changes.

TDLR consolidated existing military-related rules and new rules into one new subchapter addressing military service members, veterans and spouses. TDLR determined that consolidating all military-related rules into one subchapter would assist military service members, veterans and spouses and Department staff in easily locating provisions specific to the military. The new military subchapter also would allow for future expansion if the Texas Legislature enacts military-related bills in future sessions.

The proposed rules were [published in \*Texas Register\*](#) on October 11, 2013 (38 *TexReg* 7034). The PDF version of the proposed rules is located at: <http://www.sos.state.tx.us/texreg/pdf/backview/1011/1011prop.pdf>

The public comment period on the proposed rules closed November 12, 2013. The proposed rules were adopted, without any changes, as published in the *Texas Register*, by the Texas Commission of Licensing and Regulation (Commission) on November 21, 2013. The adopted rules are effective January 1, 2014.

## H. Update TDLR Procedures and Forms to Implement Military-Related Laws and Rules

The following additions were made to TDLR application instructions and forms to identify and expedite applications for military service members, veterans, and spouses.

### 1. Changes to application instructions:

**MILITARY SERVICE MEMBERS, VETERANS, AND SPOUSES** - Check this box if you intend to use military experience, service, training, or education or if you are applying as a military spouse.

- Military Service Members or Military Veterans - Submit documentation that provides verifiable proof of your relevant military experience, service, training, or education. Documents that can be submitted are, your DD-214, VMET-2586, military transcripts, training records, evaluation reports, or a letter from your commanding officer describing your relevant duties and training.
- Military Spouses - Submit a completed Military Spouse Supplemental Application with this application and all other requested information.

### **MILITARY SPOUSE SUPPLEMENTAL APPLICATION INSTRUCTIONS**

Submit this supplemental application as an attachment to your license application if your spouse is serving on active duty as a member of the Armed Forces of the United States, in a reserve component of the armed forces of the United States, including the National Guard, or in the state military service of any state and you want to have education and/or examination requirements for this license waived. Attach a copy of your spouse's most recent Permanent Change of Station (PCS) order or active duty order. There is no additional fee for this Military Spouse Supplemental Application.

If you are applying for a cosmetology license, use the Cosmetology License by Examination form and pay the in-state fee (\$53).

### 2. Changes to licensing forms to help our mailroom identify applications for expedited processing:

**Check this box if you intend to use military experience, service, training, or education or if you are applying as a military spouse.**

- **For military experience, service, training, or education**, attach to your application, supporting documentation (DD-214, military transcripts, training records, VMET 2586, evaluation reports, or a letter from your commanding officer) that verifies relevant experience, service, training, or education.
- **For military spouse**, attach a completed Military Spouse Supplemental Application.

## **I. Ways to Expedite the Processing of Applications for Military Service Members, Veterans, and Spouses**

TDLR recognizes that every occupational licensing agency has unique ways to process their licenses as directed by statute and rule. We reviewed a variety of ways to expedite the application process as the new statutes require. We chose to expedite the processing of all applications with military experience although it is not required by statute. The list below reflects ways we identified that a state agency may use to expedite the processing of applications for military service members, veterans, and spouses:

- Place a check box on each application to indicate military experience will be used to meet requirements
- Give priority to military applications when received in the mail room
- Give priority to military applications when received in the license application processing section
- Create a separate military application
- Create a separate military spouse application
- Create a unique post office drop box for military-related applications
- Provide a temporary license to applicants applying online or in-person
- Develop military-specific communication channels; such as a phone number, email address, or webpage, to assist in the application process

## **J. Inform the Public about TDLR Military Licensing Opportunities and Processes**

TDLR is using, or plans to use, the following methods for communicating with the public.

- TDLR web portal for military-related information and applications
- Frequently Asked Questions
- Social Media - Use of TDLR Facebook and Twitter accounts to share information about military licensing
- Notify stakeholders and other interested parties
- Media outreach – press releases

## **K. Frequently Asked Questions**

### **Military Experience Frequently Asked Questions**

#### **1. What benefit do I receive if I apply for a license using my military experience, service, training, or education?**

Verified military experience, service, training, or education will be credited towards licensing requirements, other than examination requirements.

#### **2. What fee must I pay if I apply for a license using my military experience, service, training, or education?**

You are only required to pay the license application fee.

#### **3. When can I submit an application to receive credit for my military experience, service, training, or education?**

Currently, we accept applications for the Air Conditioning and Refrigeration (ACR) Contractor license and the Certified ACR Technician.

Beginning March 1, 2014, we will accept applications for these TDLR programs: Barbers, Electricians, Polygraph Examiners, Registered Accessibility Specialist, Water Well Drillers and Pump Installers.

Beginning May 1, 2014, we will accept applications for master electrician and journeyman electrician applicants who have verified military experience and hold a current license issued by another jurisdiction that has license requirements substantially equivalent to Texas licensing requirements. These applications will be processed in an expedited manner.

#### **4. Do I have to pass an examination to be licensed if I apply using my military experience, service, training, or education?**

Yes. Using military experience, service, training, or education does not exempt you from taking and passing the required examination.

#### **5. What documents can I use to verify my military experience, service, training, or education?**

Documents used to verify military experience, service, training, or education include: DD-214, VMET-2586, military transcript, training records, evaluation reports, and a letter from your commanding officer describing your relevant duties and training.

## **6. What if I have already submitted a license application but still need to complete my education or pass an examination?**

You must complete all licensing requirements within one year of the date the application is received by TDLR.

## **Military Spouse Frequently Asked Questions**

### **1. What benefit do I receive if I apply for a license as a military spouse?**

Military spouse applications will be processed in an expedited manner.

### **2. What fee must I pay if I apply for a license as a military spouse?**

You are only required to pay the license application fee for the license.

### **3. What documents do I provide TDLR if I am a spouse of an active duty military member, have a current license in another jurisdiction with substantially equivalent licensing requirements to Texas, and am applying for a TDLR license using the military spouse option?**

1. A completed application for the license for which you are applying.
2. A completed Military Spouse Supplemental Application.
3. Proof of your current out-of-state license.
4. A copy of your spouse's most recent Permanent Change of Station (PCS) orders or active duty orders.
5. The required fee for the license for which you are applying.

### **4. Do I have to pass an examination to be licensed if I apply as a military spouse?**

If TDLR determines the license you hold from another state or jurisdiction is substantially equivalent to the TDLR license you are applying for then you do not have to pass an examination.

### **5. What documents do I provide TDLR to reinstate my TDLR license that expired within the past 5 years if I am married to an active duty military member who is serving in the armed forces of the United States?**

1. A completed application for the license for which you are applying.
2. A completed Military Spouse Supplemental Application.
3. Proof of your expired TDLR license.
4. A signed statement verifying you lived in another state for at least 6 months.
5. A copy of your spouse's most recent permanent change of station orders or active duty orders.
6. The required fee for the license for which you are applying.

## **6. Is there an alternative method to obtain a TDLR license if I am a military spouse?**

There are two alternative methods to obtain a TDLR license if you are a military spouse of an active duty member of the armed forces of the United States:

1. You may demonstrate competency by alternative methods including any or all of the following: education, continuing education, examinations, letters of good standing, letters of recommendation, work experience, and other methods required by the TDLR executive director; or
2. By endorsement as prescribed by TDLR.

## **7. What if I have already submitted a license application and still need to complete my education or take an examination?**

You must complete all licensing requirements including education or examination within one year of the date your application is received by TDLR.

## **Renewal for Active Military Service Members Frequently Asked Questions**

### **1. Do I have to pay a late renewal fee if my TDLR license expired while I was serving outside of Texas on active military duty in the armed forces of the United States?**

No, you are only required to pay the license renewal fee.

### **2. What documents do I provide TDLR if my TDLR license expired while I was serving on active military duty and I want to renew this license?**

1. A completed renewal application for your TDLR license.
2. A copy of your Permanent Change of Station order or active duty order.
3. The required renewal fee for your TDLR license.

### **3. Will TDLR give me additional time to complete continuing education requirements necessary to renew my TDLR license that expired while I was serving on active duty as a member of a state military force or as a member of a United States armed forces reserve component?**

You are entitled to additional time, equal to the total number of years or parts of years that you served on active military duty, to complete any continuing education requirements.

## L. List of Resources

Below is a list of resources cited within this document and other resources that may be useful in implementing the bills enacted by the 83<sup>rd</sup> Texas Legislature in 2013 related to occupational licensing of military service members, veterans, and spouses.

### **State Agencies and Legislature**

Texas Department of Licensing and Regulation - <http://www.tdlr.texas.gov/>

Texas Coordinating Council for Veterans Services (TCCVS) - <http://www.tvc.texas.gov/Texas-Coordinating-Council-for-Veterans-Service.aspx>

Texas Legislature Online (statutes and bills) - <http://www.capitol.state.tx.us/>

Texas Secretary of State – Texas Register (proposed and adopted rules) - <http://www.sos.state.tx.us/texreg/index.shtml>

### **Military MOS Code Websites**

Career One Stop – <http://www.careeronestop.org/businesscenter/Civilian-to-Military/civilian-to-military-translator.aspx>

O\*NET OnLine – <http://www.onetonline.org/crosswalk/MOC/>

ACE Military Guide – <http://www2.acenet.edu/militaryguide/OccupationSearch.cfm>

ACE Military Guide – <http://www2.acenet.edu/militaryguide/CourseSearch.cfm>

## Appendix A. Enacted Texas Bills (1999 – 2013)

### 76th Legislature, Regular Session (1999)

[House Bill 3155](#) - Relating to the adoption of a nonsubstantive revision of statutes relating to the licensing and regulation of certain professions and business practices including conforming amendments, repeals, and penalties (recodified existing law V.A.C.S. Article 9027, Sections 1 and 2). This law provided additional time, without penalty, for an individual, who was on active duty in the United States armed forces serving outside of Texas, to renew a license that expired while the individual was on active duty. (Texas Occupations Code §55.002)

### 79th Legislature, Regular Session (2005)

[Senate Bill 143](#) – Relating to the extension of certain deadlines for certain professionals serving on active duty in the military. This law allowed a member of the state military forces or a reserve component of the armed forces of the United States who is ordered to active duty additional time to complete any occupational licensing continuing education requirements. S.B. 143 stated that it applied to an affected member who was ordered to report for active duty on or after September 1, 2004 (retroactive applicability). (Texas Occupations Code §55.003)

### 82<sup>nd</sup> Legislature, Regular Session (2011)

[House Bill 2643](#) – Relating to certain health, safety, and professional regulation, including safety standards for elevators, escalators, and related equipment, the licensing and regulation of air conditioning and refrigeration contractors and technicians, and the establishment and operation of certain perpetual care cemeteries; providing penalties. This law allowed TDLR to credit military experience towards the licensing of air conditioning and refrigeration contractors, and it applied to applications filed on or after November 1, 2012. (Texas Occupations Code §1302.255)

[Senate Bill 1733](#) – Relating to the occupational licensing of spouses of members of the military. This law applies to a spouse of a person serving on active duty as a member of the armed forces of the United States. This law allows the spouse to obtain an occupational license through a variety of alternative license procedures. (Texas Occupations Code §55.004)

### 83<sup>rd</sup> Legislature, Regular Session (2013)

[House Bill 2029](#) – Allows military service members and veterans to receive credit for verified military service, training or education toward fulfilling the licensing requirements, other than examination requirements, for an electrician license issued by the Department. This law directs the Department to expedite the issuance of a temporary license or license by endorsement or reciprocity under the

electrician statute to an applicant who has verified military experience and holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the Texas license requirements. (Texas Occupations Code §1305.1645)

[House Bill 2254](#) – Allows military service members and veterans to receive credit for verified military service, training or education toward fulfilling any apprenticeship requirements, other than examination requirements, for a license issued by the state agency. (Texas Occupations Code §55.005)

[Senate Bill 162](#) – Allows military service members and veterans to receive credit for verified military service, training or education toward fulfilling the licensing requirements, other than examination requirements, for a license issued by the state agency. Allows a military spouse who holds a current license in another jurisdiction with licensing requirements substantially equivalent to the Texas licensing requirements to obtain a Texas license in an expedited manner. (Texas Occupations Code §§55.005, 55.006, 55.007)

[Senate Bill 242](#) -- Requires the Department to credit verified military service, training or education toward fulfilling the licensing requirements, other than examination requirements, for a license issued by the Department. (Texas Occupations Code §51.4013)

## **Appendix B. Military Provisions Team Members**

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James Potter  
Bruce Tran  
Melissa Rinard  
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Susan Stanford  
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## Appendix C. Rules

### **16 TAC, Chapter 60. Procedural Rules of the Commission and the Department**

*\*Adopted by Texas Commission of Licensing and Regulation November 21, 2013; to be effective January 1, 2014.*

#### **Subchapter C. License Applications.**

##### **§60.34. Substantially Equivalent License Requirements.**

- (a) This section is applicable for:
  - (1) programs that have statutory authority to review and consider “substantially equivalent” license requirements of other states or jurisdictions; or
  - (2) applicants who are military spouses and who are applying for a license under Subchapter K.
- (b) Based on the specific license, a license holder from another state or jurisdiction may be eligible for a Texas license if the other state or jurisdiction has licensing requirements that are substantially equivalent to the Texas licensing requirements.
- (c) The department will review and evaluate the following criteria in determining “substantially equivalent” as it relates to and is applicable to a specific license:
  - (1) Education requirements--including the amount of time (hours, months or years) or credits needed to complete the course/program/curriculum;
  - (2) Examination requirements--including whether the other state or jurisdiction requires an applicant to pass any examinations in order to obtain the license, the type of examinations (written, practical or both), and whether the applicant passed the required examinations in the other state or jurisdiction;
  - (3) Experience requirements--including the length of time that the applicant has held a license in another state, and the amount of time (hours, months or years) the applicant has worked either independently or under the supervision of another licensee as defined by statute or rule for a specific license;
  - (4) Training requirements--including training through apprenticeship programs or on-the-job training, as those terms are defined by statute or rule for a specific license; and
  - (5) License requirements--including scope of work authorized to be performed under the license issued by the other state or jurisdiction, and the length of time that the applicant has held a license in another state or jurisdiction.

**§60.35. Determining the Amount of Experience, Service, Training, or Education.**

- (a) This section is applicable for:
  - (1) programs that have statutory authority to review and determine an applicant's experience, service, training or education toward meeting the licensing requirements of a specific license;
  - (2) applicants who are military spouses and who are applying for a license under Subchapter K; or
  - (3) applicants who are military service members or military veterans and who are applying for a license under Subchapter K.
- (b) The amount of experience, service, training or education, in terms of time, will be determined as follows:
  - (1) an equivalent amount of time (hours, months or years) will be credited toward meeting the required amount of time for a specific license; or
  - (2) the amount of time will be applied as specified by statute or rule for a specific license.
- (c) An applicant will receive credit for the amount of time incurred in training or in performing the specific work, duties or functions that are applicable for a specific license. The time credited may be limited to a maximum amount of time (hours, months or years) as specified by statute or rule for a specific license or may be less than the total amount of time (hours, months or years) the applicant has submitted for consideration.

**Subchapter F. Fees.**

**§60.83. Late Renewal Fees.**

- (a) A person whose license has been expired for 90 days or less may renew the license by paying a late renewal fee equal to 1 and 1/2 times the renewal fee.
- (b) A person whose license has been expired for more than 90 days but less than 18 months may renew the license by paying a late renewal fee equal to two times the renewal fee.
- (c) A person whose license has been expired for more than 18 months but less than three years may request that the executive director approve the license by submitting information sufficient to show just cause for the late renewal and paying to the department a renewal fee equal to two times the normally required renewal fee.
- (d) A person paying a late renewal fee is not required to pay the renewal fee in addition to the late renewal fee.

**Subchapter K. Licensing Provisions Related to Military Service Members, Veterans, and Spouses.**

**§60.500. Military Subchapter.**

The rules under this subchapter implement the provisions related to military service members, veterans and spouses under Texas Occupations Code, Chapter 51 and 55 and other statutes applicable to specific programs regulated by the commission and the department.

**§60.501. Military Definitions.**

The following words and terms, when used in this subchapter, have the following meanings.

- (1) Apprenticeship or apprenticeship program--This term has the same meaning as defined by statute or rule for a specific license.
- (2) Armed forces of the United States--The Army, Navy, Air Force, Marine Corps, and Coast Guard.
- (3) Military service member--A person who is currently serving in the armed forces of the United States, in a reserve component of the armed forces of the United States, including the National Guard, or in the state military service of any state.
- (4) Military veteran--A person who has served in the armed forces of the United States, or in an auxiliary service of one of the branches of the armed forces of the United States.
- (5) National Guard--The Army National Guard and the Air National Guard.
- (6) Reserve component of the armed forces of the United States, including the National Guard--The Army National Guard of the United States, the Air National Guard of the United States, the Army Reserve, the Navy Reserve, the Air Force Reserve, the Marine Corps Reserve, and the Coast Guard Reserve.
- (7) State military service of any state--The state Army National Guard, state Air National Guard, or state guard.

**§60.502. Determining the Amount of Military Experience, Service, Training, or Education.**

- (a) The amount of military experience, service, training or education, which an applicant submits for purposes of meeting the licensing requirements of a specific license, will be determined in accordance with §60.35 and based on the experience, service, training, and education requirements as required by a specific license.
- (b) An applicant will receive credit for the amount of time incurred in training or in performing the specific work, duties, or functions that are applicable for a specific license. The amount of time credited may be limited to a maximum amount of time (hours, months or years) as specified by statute or rule for a specific license or may be less than the total amount of time (hours, months or years) the applicant has served in the military.

**§60.503. Exemption from Late Renewal Fees.**

Pursuant to Texas Occupations Code, §55.002, an individual who provides the department with satisfactory documentation that the individual was serving outside of Texas on active duty in the United States armed forces during a license renewal period may renew that license by paying the renewal fee and is exempt from paying a late renewal fee.

**§60.504. Extension of Certain Deadlines.**

- (a) Pursuant to Texas Occupations Code, §55.003, this section applies to an individual who holds a license, is a member of the state military forces or a reserve component of the armed forces of the United States, and is ordered to active duty by proper authority.
- (b) An individual described under this section is entitled to an additional amount of time, equal to the total number of years or parts of years that the individual serves on active duty, to complete:
  - (1) any continuing education requirements; and
  - (2) any other requirement related to the renewal of the individual's license.

**§60.510. Military Service Members and Military Veterans--License Requirements for Applicants with Military Experience, Service, Training, or Education.**

- (a) This section implements Texas Occupations Code, §§51.4013, 55.005 (as added by House Bill 2254, 83<sup>rd</sup> Legislature, Regular Session (2013)), 55.007 and 1305.1645(a). This section applies to a “military service member” and a “military veteran” as those terms are defined under §60.501.

- (b) A military service member or a military veteran, who applies for a license under this section, will be eligible to receive credit for verified military experience, service, training, or education in meeting the licensing requirements, other than an examination requirement, for a specific license issued by the department.
- (c) If an apprenticeship is required for a license issued by the department, the department will credit verified military experience, service, training, or education that is relevant to the occupation toward the apprenticeship requirements for the license.
- (d) An applicant who seeks to receive credit for verified military experience, service, training, or education must submit the following documentation:
  - (1) all licensing documents and fees associated with the specific department license;
  - (2) copy of the military orders or documents showing proof of active duty status (if applicable);
  - (3) copy of the military orders or documents showing proof of veteran status (if applicable); and
  - (4) copy of the military orders or documents showing the type and amount of related military experience, service, training, or education applicable to a specific license.
- (e) The amount of military experience, service, training, or education, which an applicant submits for purposes of meeting the licensing requirements of a specific license, will be determined in accordance with §60.502.
- (f) The applicant must still take and pass any applicable examination required for obtaining a specific license.
- (g) The applicant must undergo and successfully pass a criminal history background check.

**§60.520. Expedited Licensing Procedures for Military Spouses--Substantially Equivalent Licenses.**

- (a) This section implements Texas Occupations Code, §§55.004, 55.005 (as added by Senate Bill 162, 83<sup>rd</sup> Legislature, Regular Session (2013)) and 55.006, as they relate to “substantially equivalent” licenses. For purposes of this section, “military spouse” means a person who is married to a “military service member,” as defined under §60.501, who is currently on active duty.

- (b) This section does not apply to the military spouse of a military service member who is not on active duty.
- (c) A military spouse, as defined under this section, who applies for a license under this section, is eligible to obtain a license issued by the department if the military spouse applicant holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the Texas licensing requirements.
- (d) The department will determine whether the licensing requirements of the other jurisdiction are substantially equivalent to the Texas requirements as prescribed under §60.34.
- (e) The following documentation must be submitted to apply for a license under this section:
  - (1) all licensing documents and fees associated with the specific department license;
  - (2) completed Military Spouse Supplemental Application with any required supporting documentation;
  - (3) copy of the military member's orders showing proof of active duty status; and
  - (4) proof of the applicant's current out-of-state license.
- (f) The military spouse applicant must undergo and successfully pass a criminal history background check.
- (g) A military spouse who obtains a license under this section must comply with all of the license renewal requirements for the specific license obtained.

**§60.521. Additional and Alternative Licensing Procedures for Military Spouses of Active Duty Members of the Armed Forces of the United States.**

- (a) This section implements Texas Occupations Code, §55.004, to the extent that the provisions are not already addressed under §60.520. For purposes of this section, "military spouse" means a person who is the spouse of a person serving on active duty as a member of the armed forces of the United States.
- (b) This section implements additional and alternative methods for a military spouse, as defined under this section, to obtain a Texas license. A military spouse, as defined under this section, may also apply for a license under §60.520.

- (c) This section does not apply to the military spouse of a person serving:
  - (1) in the reserve component of the armed forces of the United States, including the National Guard;
  - (2) in the state military service of any state; or
  - (3) in any branch of the military where the person is not on active duty.
- (d) A military spouse, as defined under this section, who applies for a license under this section, is eligible to obtain a license issued by the department if the military spouse applicant:
  - (1) within the five years preceding the application date held the license in this state; and
  - (2) that license expired while the applicant lived in another state for at least six months.
- (e) The following documentation must be submitted to apply for a license under this section:
  - (1) all licensing documents and fees associated with the specific department license;
  - (2) completed Military Spouse Supplemental Application with any required supporting documentation;
  - (3) copy of the military member's orders showing proof of active duty status;
  - (4) proof of the applicant's expired Texas license; and
  - (5) a statement that the applicant lived in another state for at least six months.
- (f) The department may allow a military spouse applicant under this section to demonstrate competency by alternative methods in order to meet the requirements for obtaining a specific license issued by the department. For purposes of this section, the standard method of demonstrating competency is the specific exam, education, and/or experience required to obtain a specific license.
- (g) In lieu of the standard method(s) of demonstrating competency for a specific license and based on the military spouse applicant's circumstances, the alternative methods for demonstrating competency may include any combination of the following as determined by the department:

- (1) education;
  - (2) continuing education;
  - (3) examinations (written and/or practical);
  - (4) letters of good standing;
  - (5) letters of recommendation;
  - (6) work experience; or
  - (7) other methods required by the executive director.
- (h) The executive director may issue a license by endorsement in the same manner as the commission under Texas Occupations Code, §51.404 to a military spouse applicant described under this section.
- (i) The military spouse applicant under this section must undergo and successfully pass a criminal history background check.
- (j) A military spouse, who obtains a license under this section, must comply with all of the license renewal requirements for the specific license obtained.